

Serial No. 10/634,913
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REMARKS

By this amendment, claims 1-8, 14, 21-23 and 25 have been amended. Claims 32-34 have been added. No new matter has been added. Claims 18-20 have been cancelled. Accordingly, claims 1-17 and 21-34 are now pending in the application. Reconsideration and allowance of all of the claims are respectfully requested in view of the foregoing amendments and the following remarks.

Regarding Office Action Paragraph 2 – 35 U.S.C. 102(b) – Hobbs US Pat. No. 5,110,310

Examiner has rejected claim 1, 4, 14, 15, 18 and 25 under 35 USC 102(b) as being clearly anticipated by Hobbs.

In response, Applicants have amended claim 1. Claim 1 now recites: "...the sensor being configured to sense a direction of a pulling force exerted on the pole and communicate a signal regarding the direction of the force to the controller, the controller being configured to sense a signal to the compensation device based on the signal from the sensor to reposition the watercraft".

Hobbs teaches an "automatic speed control system for boats" (title). The speed control of the boat is based on two Pitot tubes and a proximity sensor sensing the deflection of the pylon caused by the force acting on the pylon by a water skier. The magnitude of the sensed force is used by the controller to affect the throttle. However, the system described in Hobbs does not sense the direction of the force acting on the pylon, nor does it have a compensation device to reposition the watercraft based on the direction of such force. Hobbs cannot therefore anticipate claim 1; it does not show all the elements thereof.

Claim 4 indirectly depends from amended claim 1 and is believed to be allowable for that reason and the additional features recited therein.

Claim 14 has been amended in a manner similar to that of claim 1 and is believed to be allowable for the reasons discussed above.

Claim 15 depends from amended claim 14 and is believed to be allowable for this reason and the additional features recited therein.

Claim 18 has been cancelled, the rejection is now moot.

Claim 25 has been amended and now recites a sensor connected to the receiving portion to sense tension in the tow rope. The proximity sensor (30) disclosed by Hobbs is not connected to the receiving portion of the pylon. It is stated in Hobbs that the sensor is rigidly mounted to a bracket which is in turn rigidly mounted to the structure of the boat (see column 2, lines 38-43) and not connected to the receiving portion. Hobbs therefore cannot sense low tension in or a modification in the position of the rope on the receiving portion. Hobbs cannot therefore anticipate claim 25; it does not show all the elements thereof.

Reconsideration and allowance of the above claims is respectfully requested.

Regarding Office Action Paragraphs 3 and 4 – 35 U.S.C. 103(a) – Hobbs and Staerzl

Examiner has rejected claims 16, 17, 20 and 21 under 35 USC 103(a) as being

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Claims 16, 17 and 21 all depend from independent claim 14. As discussed hereinabove in relation to claims 1 and 14, Hobbs fails to disclose a force direction sensor. Whatever the teachings of Staerzl, it too fails to disclose a force direction sensor. Therefore, whether or not it is proper to combine the teachings of Staerzl with those of Hobbs (and expressly reserving the right to argue thereagainst in the future), the combination thereof cannot yield the present invention.

Claim 20 has been cancelled, the rejection is now moot.

Claim 21 has been amended to change the word "adjusting" to "altering". This change has been made for linguistic consistency throughout the claims and is not in response to the Examiner's rejection.

Reconsideration and allowance of the above claims is respectfully requested.

Regarding Office Action Paragraph 5 – 35 U.S.C. 103(a) – Hobbs and Nielsen

Examiner has rejected claim 26 under 35 USC 103(a) as being unpatentable over Hobbs (US Pat. No. 5,110,310) in view of Nielsen (US Pat. No. 5,167,550).

With respect, Applicants disagree. Hobbs has been previously discussed. Nielsen is directed to a conversion system of a watercraft to a water skier controlled drone (title). Nielson discloses a throttle control (22 – column 6, line 35); no suggestion is made that this throttle control is (or contains) a rotation sensor. Indeed, there is no mention of a rotation sensor in Nielsen.

The claimed subject matter of claim 26 is directed to a tow pole for a watercraft comprising a shaft, a tow rope portion connected to the shaft and a sensor positioned to sense rotation of a rotatable portion on the shaft. Neither Hobbs, Nielsen, or their combination teach all the elements recited in claim 26. Reconsideration and allowance of claim 26 is respectfully requested.

Regarding Office Action Paragraph 6

Examiner has objected to claims 2, 3, 5-9, 19 and 22-24 as being dependent upon a rejected base claim. Claims 2, 3 and 5-9 directly or indirectly depend from amended independent claim 1. Claims 22-24 depend indirectly from amended independent claim 14. These claims are believed to be allowable for the reasons given above in respect of claims 1 and 14 and for the limitations found therein.

Regarding Office Action Paragraph 7

Applicants thank the Examiner for the indication that claims 10-13 and 27-31 are allowed.

Cancelled claims

Claims 18 to 20 have been cancelled for economic reasons (3 claims are being added) and not in response to any rejection from the Examiner.

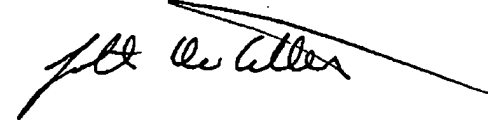
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Conclusion

In view of the above amendments and remarks, the Applicant respectfully submits that all of the currently pending claims are allowable, and that the entire application is in condition for allowance.

Should the Examiner believe that anything further is desirable to place the application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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